

P E T I T I O N
FOR THE CREATION OF A PLANNING
AND ZONING DISTRICT AND
RESOLUTION.

RESOLUTION NO. 16

BE IT RESOLVED, that whereas a petition was filed with the Board of County Commissioners of Ravalli County, Montana, for the creation of a Planning and Zoning District in an area within the boundaries described in said petition and shown on map submitted therewith, and,

WHEREAS, the petition was filed by more than sixty percent (60%) of the freeholders within such area, and,

WHEREAS, the County Commissioners thereupon appointed a Planning and Zoning Commission in accordance with the provisions of Chapter 41, Title 16, R.C.M., 1947, as amended, and;

WHEREAS, the Planning and Zoning Commission thereafter, by order, directed that notice of a public hearing be given as required by law, and such notice was thereafter given and a public hearing held.

NOW THEREFORE, it is ordered and this does order that there is hereby created Ravalli County Planning and Zoning District No. 21, said district is more particularly described in Exhibit "A" attached hereto and with this reference made a part hereof.

IT IS FURTHER ORDERED, and this does order, that the following shall govern the use of lands and structures within the Planning and Zoning District No. 21.

A. INTENT

This district provides for low density residential development of an open and rural character in areas best suited for such purposes, and provides for environmental protection of those areas that are fragile and cannot support more intensive urbanized activities due to physiographic, hydrologic, biologic, and economic conditions. Planned unit developments and planned variations are encouraged to preserve agricultural land and to enhance environmental amenities found in rural areas.

B. SPACE AND BULK REQUIREMENTS

Maximum residential densityOne (1) dwelling per 5 acres.
Minimum required yard - frontFifty (50) feet.
 - sideFifty (50) feet.
 - rearFifty (50) feet.
Maximum building heightNone.

3

C. PERMITTED USES

1. Single family dwelling
2. Mobile Homes.
3. Modular Homes.
4. Accessory buildings and uses.

D. PRESENT AND FUTURE USES, BUILDING REQUIREMENTS AND RESTRICTIONS, AND DEFINITIONS

1. Present Uses:

Present grazing, horticultural, agricultural or growing of timber uses as of the date the district heretofore described is accepted by the County, together with existing non-conforming uses, may be continued, notwithstanding anything to the contrary contained herein.

2. Future Uses:

- a. No parcel of land in the Willow Creek Zoning District which is less than five (5) acres in size shall be subdivided, sold, conveyed, rented, or leased, unless in addition to the fee title to said lot, the owner or transferee shall also acquire a proportionate share of an contiguous common area in such amount that his fee ownership plus his proportionate share of the common area equals or exceeds fifteen (15) acres.
- b. Except for those activities necessary in the continuance of agricultural or home occupations, no property shall be used for any mobile home park, wrecking yard, commercial, or industrial activity.

3. Building Requirements and Restrictions:

- a. Mobile homes will be permitted so long as they are attached to a permanent poured concrete foundation.
- b. Modular homes will be permitted, so long as they are attached to a permanent poured concrete foundation.
- c. No tract of land or site within the district shall be leased, purchased, or rented for the purpose of locating or sitting thereon campers, trailers, or other temporary dwelling units.
- d. Temporary living units, including mobile homes and modular homes unattached to a permanent foundation, may be used for a maximum period of eighteen (18) months while a permanent residence is being constructed.

4. Zoning Committee:

A committee consisting of three persons owning property in the zoned area shall be elected by the owners of property within that zoned area to represent the zoning district in matters of dispute within the district.

The first election of committee members shall elect one member for three years, one member for two years, and one member for one year, and the nominees and terms shall be so designated on the ballot. Each year thereafter, the zoning district shall elect one person to serve for three years.

5. Expenses of Enforcement

In the event that a legal action is brought under provision F. II of this Resolution, the person(s) bringing the legal proceeding is (are) entitled to his (their) costs and attorneys fees from the violator of the Zoning Petition and Resolution, presuming the Court finds such a violation of the Petition and Resolution to exist. In the event that a Court determines a party charged with violating this agreement not liable for costs and attorney fees, said expenses shall be borne by the person bringing the legal action (in the case of an individual) and by the members of the zoning district (in the case of a suit instituted by the zoning committee).

6. Definitions

With regard to provisions of the aforementioned zoning district, the terms in Exhibit "B," shall apply.

E. SEVERABILITY:

Invalidation of any one of these provisions by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

F. ENFORCEMENT:

Any use or feature in violation of these regulations is hereby found and declared to be unlawful and may be enforced as set out in subparagraphs I and II below.

- I. The Ravalli County Commissioners hereby assume responsibility for the enforcement of only those regulations set out in this subparagraph I. Such enforcement shall be discretionary with the Ravalli County Commissioners and shall be civil in nature. The cost of such enforcement shall be paid by Ravalli County. The regulations for which Ravalli County assumes responsibility for enforcement are as follows:

- B. SPACE AND BULK REQUIREMENTS
- C. PERMITTED USES

5

II. Any interested person may bring any appropriate legal action for the enforcement of any of the regulations which apply to this Planning and Zoning District. The cost of such enforcement shall be borne by the person bringing the legal proceeding subject to Section D. 5. Neither Ravalli County nor the Planning and Zoning District shall be responsible for any of the costs associated with any such enforcement proceeding undertaken pursuant to this subparagraph II.

PASSED AND ADOPTED this 12th day of Oct, 1978.

PLANNING AND ZONING COMMISSION

Jim McKinley
Jim McKinley, County Commissioner

Hugh G. Cumming
Hugh G. Cumming, County Commissioner

F.T. Williams
F.T. Williams, County Commissioner

R. David Schurian
R. David Schurian, County Surveyor

Cheryl Richards
Cheryl Richards, County Assessor

Office of Public Hearing on Amendments to the
Development Pattern for
Planning and Zoning District

Notice is hereby given that a petition has been filed for the
creation of a Planning and Zoning District in the area within the following
boundaries to-wit:

A tract of land in the SW and Section 31, T6N, R19W, in Sections 5, 6,
7, and 8, T6N, R19W; and Sections 1, 2, 3, 11, and 12, T6N, R20W, P.M.S.,
described as beginning on the North $\frac{1}{4}$ corner of Section 6, T6N, R19W;
thence North $\frac{1}{4}$ mile to the Northeast corner of the NESE-SW $\frac{1}{4}$, Section 31, T6N,
R19W; thence West $\frac{1}{2}$ mile to the Northwest corner of the SESE-SW $\frac{1}{4}$, Section 31;
thence South $\frac{1}{4}$ mile to the South line of said Section 31; thence West $\frac{1}{8}$
mile to the Southeast corner of the SWSE-SW $\frac{1}{4}$, Section 31; thence along the
East side of said SWSE-SW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the North side of said
SWSE-SW $\frac{1}{4}$, West $\frac{1}{4}$ mile; thence along the West side of said SWSE-SW $\frac{1}{4}$, South $\frac{1}{4}$
mile to the Corner common to Sections 1, 6, 31, and 36; thence along the
North line of Section 1, T6N, R20W, West $\frac{1}{4}$ mile to the Corner common to
Sections 1, 2, 35, and 36; thence along the North line of Section 2, T6N,
R20W, West $\frac{1}{4}$ mile to the Corner common to Sections 2, 3, 34, and 35; thence
along the North line of Lot 1, Section 3, T6N, R20W, West $\frac{1}{4}$ mile; thence
along the West line of said Lot 1, South $\frac{1}{4}$ mile; thence along the South
line of said Lot 1, East $\frac{1}{4}$ mile; thence along the South line of Lot 4,
Section 2, T6N, R20W, East $\frac{1}{4}$ mile; thence along the West line of the SE-SW $\frac{1}{4}$,
Section 2, South $\frac{1}{4}$ mile; thence along the West line of the NE-SW $\frac{1}{4}$, Section
2, South $\frac{1}{4}$ mile; thence along the South line of said NE-SW $\frac{1}{4}$, East $\frac{1}{4}$ mile;
thence along the West line of the SWSE-SW $\frac{1}{4}$, Section 2, T6N, R20W, South $\frac{1}{4}$
mile; thence along the South line of said SWSE-SW $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence
along the West line of the NE-SW $\frac{1}{4}$, Section 11, T6N, R20W, South $\frac{1}{4}$ mile;
thence along the South line of said NE-SW $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along
the West line of the SW-SW $\frac{1}{4}$ (Section 12, T6N, R20W), South $\frac{1}{4}$ mile; thence
along the South line of said SW-SW $\frac{1}{4}$, East $\frac{1}{16}$ mile, to the Northwest corner
of the East $\frac{3}{4}$ of the NW-SW $\frac{1}{4}$; thence along the West line of said East $\frac{3}{4}$ of
the NW-SW $\frac{1}{4}$, South $\frac{1}{4}$ mile; thence along the South line of said East $\frac{3}{4}$ of the
NW-SW $\frac{1}{4}$, and the South line of the West $\frac{1}{4}$ of the NE-SW $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence
along the East line of said West $\frac{1}{4}$ of the NE-SW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along
the South line of the SE-SW $\frac{1}{4}$, Section 12, East $\frac{3}{16}$ mile; thence along the
South line of the NW $\frac{1}{4}$, Section 12, East $\frac{1}{4}$ mile; thence along the South line
of the NW $\frac{1}{4}$, Section 7, T6N, R19W, East $\frac{1}{4}$ mile; thence along the West line
of the NWSE-SW $\frac{1}{4}$, Section 7, South $\frac{1}{4}$ mile; thence along the South line of
said NWSE-SW $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the East line of said NWSE-SW $\frac{1}{4}$, North
 $\frac{1}{4}$ mile; thence along the South line of the NE-SW $\frac{1}{4}$, Section 7, East $\frac{1}{4}$ mile;
thence along the South line of the SW-SW $\frac{1}{4}$, Section 8, T6N, R19W, East $\frac{1}{4}$ mile;
thence along the East line of said SW-SW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the
South line of the NE-SW $\frac{1}{4}$, Section 8, T6N, R19W, East $\frac{1}{4}$ mile; thence along
the East line of said NE-SW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the East line of
the SE-SW $\frac{1}{4}$, Section 5, T6N, R19W, North $\frac{1}{4}$ mile; thence along the North line
of said SE-SW $\frac{1}{4}$, Section 5, T6N, R19W, North $\frac{1}{4}$ mile; thence along the North
line of said SE-SW $\frac{1}{4}$, West $\frac{1}{4}$ mile; thence along the East line of the NE-SW $\frac{1}{4}$,
Section 6, T6N, R19W, North $\frac{1}{4}$ mile; thence along the East line of the
SE-SW $\frac{1}{4}$, Section 6, North $\frac{1}{4}$ mile; thence along the North line of the SE-SW $\frac{1}{4}$,
Section 6, West $\frac{1}{4}$ mile; thence along the East line of Lot 3, Section 6,
T6N, R19W, North $\frac{1}{4}$ mile to the point of beginning. Excepting therefrom that
portion of Lot 2, Section 1 lying North of the NW Canal as shown on Certificate
of Survey No. 149.. and also excepting Zoning District No. 14.

Map of area is on file with said petition.

6481

That pursuant to such petition, the Board of County Commissioners create and appoint a Planning and Zoning Commission. That the Planning and Zoning Commission will, on the 14th day of September, 1978, at the hour of 10:00 a.m. at the office of the County Commissioners in the Courthouse in Hamilton, Montana, hold a public hearing at which the Commission will consider:

The adoption of a development pattern for said district and the building and use restrictions to be made applicable thereto.

The Commission will consider the types of activity that may be conducted therein and the existing non-conforming uses which may be continued.

All persons affected by the proposed Planning and Zoning District will be given an opportunity to be heard; to contest or support the adoption of such development district by the Planning and Zoning Commission and the adoption of a development plan therefor.

BY ORDER OF THE PLANNING AND ZONING COMMISSION, dated the 10th day of August, 1978.


Jim McKinley, Chairman

Publish: August 30, 1978

431

STATE OF MONTANA)

COUNTY OF RAVALLI)

ss


This is to certify that I, Jim McKinley, County Commissioner, did post copies of Notice of Public Hearing on petition for creation of planning and zoning district for a portion of land in Ravalli County located in the Willow Creek area, in the following places:

1. On fence post on Willow Creek Road, $\frac{1}{2}$ mile South of the Quentin J. Brown residence.
2. On a telephone pole at the entrance to the Bill M. Holt residence.
3. Directly across the road from the Elmore W. Tintzman residence, on a fence post.

All copies were posted within the proposed zone.

Dated this 18th day of August, 1978


Jim McKinley, Commissioner


Notary Public for the State of
Montana. Residing at Hamilton,
Montana. My Commission expires
April 1, 1980.

RESOLUTION NO. 195

WHEREAS, a petition was duly filed with the Board of County Commissioners of Ravalli County, petitioning for the creation of a Planning and Zoning District in the area as described in Exhibit "A" attached hereto and by this reference made a part hereof. Map of area on file with said petition.

WHEREAS, it appears that more than sixty percent (60%) of the freeholders affected hereby have signed said petition which is in due form.

NOW, THEREFORE, it is ordered that a Planning and Zoning District, embracing the lands within the boundaries as aforesaid, is created.

IT IS FURTHER ORDERED that a Planning and Zoning Commission be created and the persons appointed thereon are: The County Commissioners of Ravalli County, being Jim McKinley, Hugh G. Cumming and F.T. Williams; the County Assessor of Ravalli County, being Cheryl Richards; the County Surveyor of Ravalli County, being R. David Schurlan.

IT IS FURTHER ORDERED that the Planning and Zoning Commission proceed in accordance with the provision of Title 16, Chapter 41, R.C.M. 1947, as revised.

DATED THIS 27th DAY OF July, 1978.

BOARD OF COUNTY COMMISSIONERS
RAVALLI COUNTY, MONTANA


Jim McKinley, Chairman


Hugh G. Cumming, Member


F.T. Williams, Member

A tract of land in the SW $\frac{1}{4}$ and Section 31, T7N, R19W; in Sections 5, 6, 7, and 8, T6N, R19W; and Sections 1, 2, 3, 11, and 12, T6N, R20W, P.M.M. described as beginning on the North $\frac{1}{4}$ corner of Section 6, T6N, R19W; thence North $\frac{1}{4}$ mile to the Northeast corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, T7N, R19W; thence West $\frac{1}{8}$ mile to the Northwest corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31; thence South $\frac{1}{4}$ mile to the South line of said Section 31; thence West $\frac{1}{8}$ mile to the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31; thence along the East side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the North side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, West $\frac{1}{4}$ mile; thence along the West side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, South $\frac{1}{4}$ mile to the corner common to Sections 1, 6, 31, and 36; thence along the North line of Section 1, T6N, R20W, West 1 mile to the corner common to Sections 1, 2, 35, and 36; thence along the North line of Section 2, T6N, R20W, West 1 mile to the corner common to Section 2, 3, 34, and 35; thence along the North line of Lot 1, Section 3, T6N, R20W, West $\frac{1}{4}$ mile; thence along the West line of said Lot 1, South $\frac{1}{4}$ mile; thence along the South line of said Lot 1, East $\frac{1}{4}$ mile; thence along the South line of Lot 4, Section 2, T6N, R20W, East $\frac{1}{4}$ mile; thence along the West line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, South $\frac{1}{4}$ mile; thence along the West line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, South $\frac{1}{4}$ mile; thence along the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the West line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, T6N, R20W, South $\frac{1}{4}$ mile; thence along the South line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the West line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, T6N, R20W, South $\frac{1}{4}$ mile; thence along the South line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the West line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, T6N, R20W, South $\frac{1}{4}$ mile; thence along the South line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, East $\frac{1}{16}$ mile, to the Northwest corner of the East $\frac{3}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence along the West line of said East $\frac{3}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, South $\frac{1}{4}$ mile; thence along the South line of said East $\frac{3}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and the South line of the West $\frac{1}{4}$ of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the East line of said West $\frac{1}{4}$ of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the South line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, East $\frac{3}{16}$ mile; thence along the South line of the NE $\frac{1}{4}$, Section 12, East $\frac{1}{4}$ mile; thence along the South line of the NW $\frac{1}{4}$, Section 7, T6N, R19W, East $\frac{1}{4}$ mile; thence along the West line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, South $\frac{1}{4}$ mile; thence along the South line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the East line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the South line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, East $\frac{1}{4}$ mile; thence along the South line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T6N, R19W, East $\frac{1}{4}$ mile; thence along the East line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the South line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T6N, R19W, East $\frac{1}{4}$ mile; thence along the East line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the East line of the S $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, T6N, R19W, North $\frac{1}{4}$ mile; thence along the North line of said S $\frac{1}{4}$ SW $\frac{1}{4}$, West $\frac{1}{4}$ mile; thence along the East line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, T6N, R19W, North $\frac{1}{4}$ mile; thence along the East line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, North $\frac{1}{4}$ mile; thence along the North line of the S $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, West $\frac{1}{4}$ mile; thence along the East line of Lot 3, Section 6, T6N, R19W, North $\frac{1}{4}$ mile to the point of beginning. Excepting therefrom that portion of Lot 2, Section 1, lying North of the BRVI Canal as shown on Certificate of Survey No. 149--and also excepting Zoning District No. 14, and the W $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, of Section 1, Township 6 North, Range 20 West, P.M.M. Ravalli County, Montana. Map of area is on file with said petition.

RESOLUTION NO. 204

WHEREAS, this Board did on July 12, 1978 receive a petition requesting the zoning of an area as described in Exhibit "A" attached hereto and by this reference made a part hereof.

WHEREAS, the petition was signed by more than sixty percent (60%) of the freeholders within such area, and thereafter public hearing was held, as required by law, by the Ravalli County Planning and Zoning Commission on September 14, 1978 and thereafter the Commission met on October 12, 1978 at which time the petition was granted.

WHEREAS, Resolution No. 16 containing the provisions for regulations controlling the zoning of area petitioned for was passed and adopted by the Ravalli County Planning and Zoning Commission under the Date of October 12, 1978.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Ravalli County, Montana, do hereby approve the resolution granting said petition for creation of Ravalli County Planning and Zoning District No. 21.

PASSED AND ADOPTED this 17th day of October, 1978.

BOARD OF COUNTY COMMISSIONERS
RAVALLI COUNTY, MONTANA


Jim McKinley, Chairman


Hugh G. Cumming, Member


F.T. Williams, Member

LEGAL DESCRIPTION

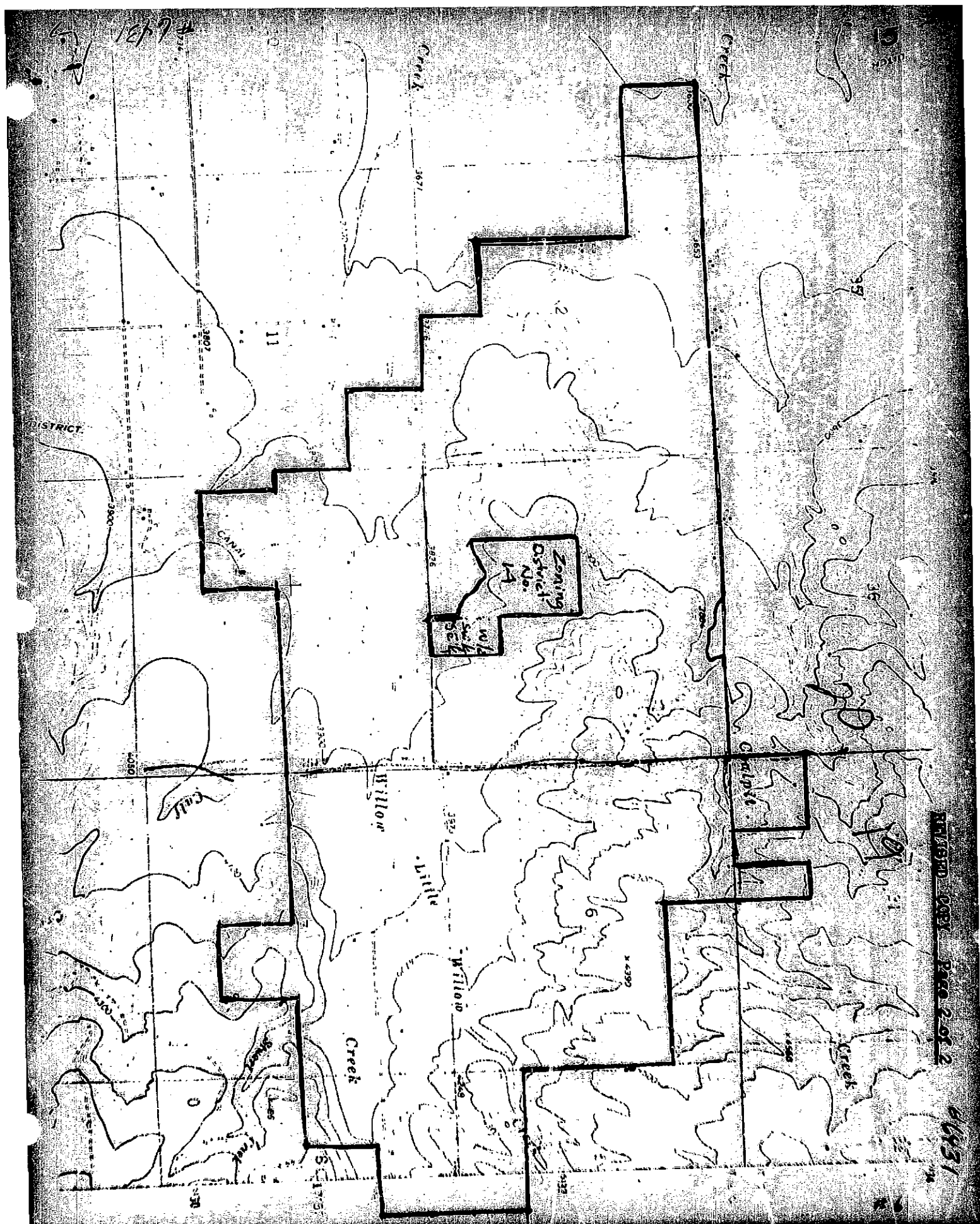
A tract of land in the SW $\frac{1}{4}$ and Section 31, T7N, R19W; in Sections 5, 6, 7, and 8, T6N, R19W; and Sections 1, 2, 3, 11, and 12, T6N, R20W, P.M.M. described as beginning on the North $\frac{1}{4}$ corner of Section 6, T6N, R19W, thence North, $\frac{1}{4}$ mile to the Northeast corner of the E $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, T7N, R19W; thence West $\frac{1}{8}$ mile to the Northwest corner of the E $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, thence South $\frac{1}{4}$ mile to the South line of said Section 31, thence West $\frac{1}{8}$ mile to the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, thence along the East side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, North $\frac{1}{4}$ mile, thence along the North side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, West $\frac{1}{4}$ mile, thence along the West side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, South $\frac{1}{4}$ mile to the Corner common to Sections 1, 6, 31, and 36, thence along the North line of Section 1, T6N, R20W, West, 1 mile to the Corner common to Sections 1, 2, 35, and 36, thence along the North line of Section 2, T6N, R20W, West, 1 mile to the Corner common to Sections 2, 3, 34, and 35, thence along the North line of Lot 1, Section 3, T6N, R20W, West, $\frac{1}{4}$ mile, thence along the West line of said Lot 1, South, $\frac{1}{4}$ mile, thence along the South line of said Lot 1, East, $\frac{1}{4}$ mile, thence along the South line of Lot 4, Section 2, T6N, R20W, East, $\frac{1}{4}$ mile, thence along the West line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, South, $\frac{1}{4}$ mile, thence along the West line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, South, $\frac{1}{4}$ mile, thence along the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, East, $\frac{1}{4}$ mile, thence along the West line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, T6N, R20W, South, $\frac{1}{4}$ mile, thence along the South line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, East, $\frac{1}{4}$ mile, thence along the West line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, T6N, R20W, South, $\frac{1}{4}$ mile, thence along the South line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, East, $\frac{1}{4}$ mile, thence along the West line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, (Section 12, T6N, R20W) South, $\frac{1}{4}$ mile, thence along the South line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, East, $\frac{1}{16}$ mile, to the Northwest corner of the East $\frac{1}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence along the West line of said East $\frac{1}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, South, $\frac{1}{4}$ mile, thence along the South line of said East $\frac{1}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and the South line of the West $\frac{1}{4}$ of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, East, $\frac{1}{4}$ mile, thence along the East

line of said West $\frac{1}{4}$ of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, North, $\frac{1}{4}$ mile, thence along the South line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, East, $\frac{3}{16}$ mile, thence along the South line of the NE $\frac{1}{4}$, Section 12, East, $\frac{1}{4}$ mile, thence along the South line of the NW $\frac{1}{4}$, Section 7, T6N, R19W, East, $\frac{1}{4}$ mile, thence along the West line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, South, $\frac{1}{4}$ mile, thence along the South line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, East, $\frac{1}{4}$ mile, thence along the East line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, North, $\frac{1}{4}$ mile, thence along the South line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, East, $\frac{1}{4}$ mile, thence along the South line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T6N, R19W, East, $\frac{1}{4}$ mile, thence along the East line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, North, $\frac{1}{4}$ mile, thence along the South line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T6N, R19W, East, $\frac{1}{4}$ mile, thence along the East line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, North, $\frac{1}{4}$ mile, thence along the East line of the S $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, T6N, R19W, North $\frac{1}{4}$ mile, thence along the North line of said S $\frac{1}{4}$ SW $\frac{1}{4}$, West, $\frac{1}{4}$ mile, thence along the East line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, T6N, R19W, North, $\frac{1}{4}$ mile, thence along the East line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, North, $\frac{1}{4}$ mile, thence along the North line of the S $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, West, $\frac{1}{4}$ mile, thence along the East line of Lot 3, Section 6, T6N, R19W, North $\frac{1}{4}$ mile to the point of beginning. Excepting therefrom that portion of Lot 2, Section 1 lying North of the BRVI Canal as shown on Certificate of Survey No. 149.

And also excepting *Zoning District No. 14*

A tract of land in the SW $\frac{1}{4}$ and Section 31, T7N, R19W; in Sections 5, 6, 7, and 8, T6N, R19W; and Sections 1, 2, 3, 11, and 12, T6N, R20W, P.M.M. described as beginning on the North $\frac{1}{4}$ corner of Section 6, T6N, R19W; thence North $\frac{1}{4}$ mile to the Northeast corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, T7N, R19W; thence West $\frac{1}{8}$ mile to the Northwest corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31; thence South $\frac{1}{4}$ mile to the South line of said Section 31; thence West $\frac{1}{8}$ mile to the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31; thence along the East side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the North side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, West $\frac{1}{4}$ mile; thence along the West side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, South $\frac{1}{4}$ mile to the corner common to Sections 1, 6, 31, and 36; thence along the North line of Section 1, T6N, R20W, West 1 mile to the corner common to Sections 1, 2, 35, and 36; thence along the North line of Section 2, T6N, R20W, West 1 mile to the corner common to Section 2, 3, 34, and 35; thence along the North line of Lot 1, Section 3, T6N, R20W, West $\frac{1}{4}$ mile; thence along the West line of said Lot 1, South $\frac{1}{4}$ mile; thence along the South line of said Lot 1, East $\frac{1}{4}$ mile; thence along the South line of Lot 4, Section 2, T6N, R20W, East $\frac{1}{4}$ mile; thence along the West line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, South $\frac{1}{4}$ mile; thence along the West line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, South $\frac{1}{4}$ mile; thence along the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the West line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, T6N, R20W, South $\frac{1}{4}$ mile; thence along the South line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the West line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, T6N, R20W, South $\frac{1}{4}$ mile; thence along the South line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the West line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, T6N, R20W, South $\frac{1}{4}$ mile; thence along the South line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, East $\frac{1}{16}$ mile, to the Northwest corner of the East $\frac{3}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence along the West line of said East $\frac{3}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, South $\frac{1}{4}$ mile; thence along the South line of said East $\frac{3}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and the South line of the West $\frac{1}{4}$ of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the East line of said West $\frac{1}{4}$ of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the South line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, East $\frac{3}{16}$ mile; thence along the South line of the NE $\frac{1}{4}$, Section 12, East $\frac{1}{4}$ mile; thence along the South line of the NW $\frac{1}{4}$, Section 7, T6N, R19W, East $\frac{1}{4}$ mile; thence along the West line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, South $\frac{1}{4}$ mile; thence along the South line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the East line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the South line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, East $\frac{1}{4}$ mile; thence along the South line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T6N, R19W, East $\frac{1}{4}$ mile; thence along the East line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the South line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T6N, R19W, East $\frac{1}{4}$ mile; thence along the East line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the East line of the S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 5, T6N, R19W, North $\frac{1}{4}$ mile; thence along the North line of said S $\frac{1}{2}$ SW $\frac{1}{4}$, West $\frac{1}{4}$ mile; thence along the East line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, T6N, R19W, North $\frac{1}{4}$ mile; thence along the East line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, North $\frac{1}{4}$ mile; thence along the North line of the S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 6, West $\frac{1}{4}$ mile; thence along the East line of Lot 3, Section 6, T6N, R19W, North $\frac{1}{4}$ mile to the point of beginning. Excepting therefrom that portion of Lot 2, Section 1, lying North of the BRVI Canal as shown on Certificate of Survey No. 149--and also excepting Zoning District No. 14, and the W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, of Section 1, Township 6 North, Range 20 West, P.M.M. Ravalli County, Montana. Map of area is on file with said petition.

16450



16

Notice of Public Hearing on Adoption of
Development Pattern for
Planning and Zoning District

Notice is hereby given that a petition has been filed for the creation of a Planning and Zoning District in the area within the following boundaries to-wit:

A tract of land in the SW $\frac{1}{4}$ and Section 31, T7N, R19W; in Sections 5, 6, 7, and 8, T6N, R19W; and Sections 1, 2, 3, 11, and 12, T6N, R20W, P.M.M. described as beginning on the North $\frac{1}{4}$ corner of Section 6, T6N, R19W; thence North $\frac{1}{4}$ mile to the Northeast corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, T7N, R19W; thence West $\frac{1}{8}$ mile to the Northwest corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31; thence South $\frac{1}{4}$ mile to the South line of said Section 31; thence West $\frac{1}{8}$ mile to the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31; thence along the East side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the North side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, West $\frac{1}{4}$ mile; thence along the West side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, South $\frac{1}{4}$ mile to the Corner common to Sections 1, 6, 31, and 36; thence along the North line of Section 1, T6N, R20W, West 1 mile to the Corner common to Sections 1, 2, 35, and 36; thence along the North line of Section 2, T6N, R20W, West 1 mile to the Corner common to Sections 2, 3, 34, and 35; thence along the North line of Lot 1, Section 3, T6N, R20W, West $\frac{1}{4}$ mile; thence along the West line of said Lot 1, South $\frac{1}{4}$ mile; thence along the South line of said Lot 1, East $\frac{1}{4}$ mile; thence along the South line of Lot 4, Section 2, T6N, R20W, East $\frac{1}{4}$ mile; thence along the West line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, South $\frac{1}{4}$ mile; thence along the West line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, South $\frac{1}{4}$ mile; thence along the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the West line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, T6N, R20W, South $\frac{1}{4}$ mile; thence along the South line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the West line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, T6N, R20W, South $\frac{1}{4}$ mile; thence along the South line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the West line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Section 12, T6N, R20W), South $\frac{1}{4}$ mile; thence along the South line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, East $\frac{1}{16}$ mile, to the Northwest corner of the East $\frac{3}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence along the West line of said East $\frac{3}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, South $\frac{1}{4}$ mile; thence along the South line of said East $\frac{3}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and the South line of the West $\frac{1}{4}$ of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the East line of said West $\frac{1}{4}$ of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the South line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, East $\frac{3}{16}$ mile; thence along the South line of the NE $\frac{1}{4}$, Section 12, East $\frac{1}{4}$ mile; thence along the South line of the NW $\frac{1}{4}$, Section 7, T6N, R19W, East $\frac{1}{2}$ mile; thence along the West line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, South $\frac{1}{4}$ mile; thence along the South line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, East $\frac{1}{4}$ mile; thence along the East line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the South line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, East $\frac{1}{4}$ mile; thence along the South line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T6N, R19W, East $\frac{1}{4}$ mile; thence along the East line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the South line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T6N, R19W, East $\frac{1}{4}$ mile; thence along the East line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, North $\frac{1}{4}$ mile; thence along the East line of the S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 5, T6N, R19W, North $\frac{1}{4}$ mile; thence along the North line of said S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 5, T6N, R19W, North $\frac{1}{4}$ mile; thence along the North line of said S $\frac{1}{2}$ SW $\frac{1}{4}$, West $\frac{1}{2}$ mile; thence along the East line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, T6N, R19W, North $\frac{1}{4}$ mile; thence along the East line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, North $\frac{1}{4}$ mile; thence along the North line of the S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 6, West $\frac{1}{2}$ mile; thence along the East line of Lot 3, Section 6, T6N, R19W, North $\frac{1}{4}$ mile to the point of beginning. Excepting therefrom that portion of Lot 2, Section 1 lying North of the BRVI Canal as shown on Certificate of Survey No. 149-- and also excepting Zoning District No. 14.

Map of area is on file with said petition.

16431

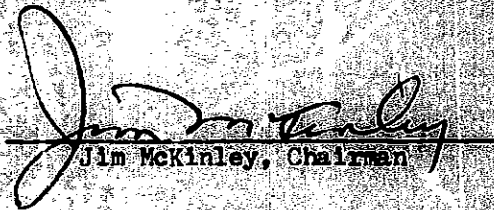
That pursuant to such petition, the Board of County Commissioners create and appoint a Planning and Zoning Commission. That the Planning and Zoning Commission will, on the 14th day of September, 1978, at the hour of 10:00 a.m. at the office of the County Commissioners in the Courthouse in Hamilton, Montana, hold a public hearing at which the Commission will consider:

The adoption of a development pattern for said district and the building and use restrictions to be made applicable thereto.

The Commission will consider the types of activity that may be conducted therein and the existing non-conforming uses which may be continued.

All persons affected by the proposed Planning and Zoning District will be given an opportunity to be heard; to contest or support the adoption of such development district by the Planning and Zoning Commission and the adoption of a development plan therefor.

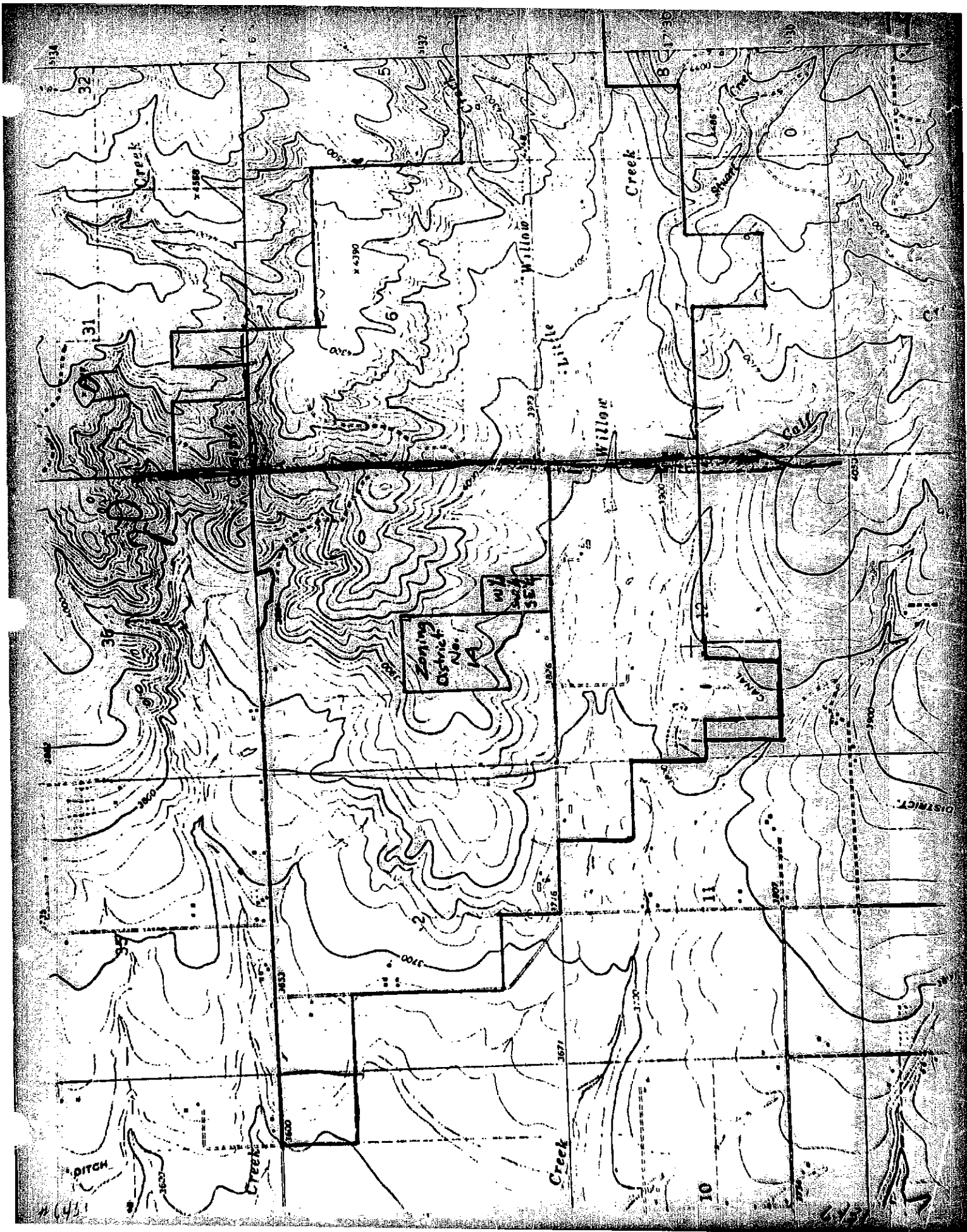
BY ORDER OF THE PLANNING AND ZONING COMMISSION, dated the 10th day of August, 1978.


Jim McKinley, Chairman

Publish: August 30, 1978

EXHIBIT "A"
LEGAL DESCRIPTION

A tract of land in the SW $\frac{1}{4}$ and Section 31, T7N, R19W; in Sections 5, 6, 7, and 8, T6N, R19W; and Sections 1, 2, 3, 11, and 12, T6N, R20W, P.M.M. described as beginning on the North $\frac{1}{4}$ corner of Section 6, T6N, R19W, thence North, $\frac{1}{4}$ mile to the Northeast corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, T7N, R19W; thence West $\frac{7}{8}$ mile to the Northwest corner of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, T7N, R19W; thence South $\frac{1}{4}$ mile to the South line of said Section 31, thence West $\frac{7}{8}$ mile to the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, thence along the East side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, North $\frac{1}{4}$ mile, thence along the North side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, West $\frac{1}{4}$ mile, thence along the West side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, South $\frac{1}{4}$ mile to the Corner common to Sections 1, 6, 31, and 36, thence along the North line of Section 1, T6N, R20W, West, 1 mile to the Corner common to Sections 1, 2, 35, and 36, thence along the North line of Section 2, T6N, R20W, West, 1 mile to the Corner common to Sections 2, 3, 34, and 35, thence along the North line of Lot 1, Section 3, T6N, R20W, West, $\frac{1}{4}$ mile, thence along the West line of said Lot 1, South, $\frac{1}{4}$ mile, thence along the South line of said Lot 1, East, $\frac{1}{4}$ mile, thence along the South line of Lot 4, Section 2, T6N, R20W, East, $\frac{1}{4}$ mile, thence along the West line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, South, $\frac{1}{4}$ mile, thence along the West line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, South, $\frac{1}{4}$ mile, thence along the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, East, $\frac{1}{4}$ mile, thence along the West line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, T6N, R20W, South, $\frac{1}{4}$ mile, thence along the South line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, East, $\frac{1}{4}$ mile, thence along the West line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, T6N, R20W, South, $\frac{1}{4}$ mile, thence along the South line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, East, $\frac{1}{4}$ mile, thence along the West line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, (Section 12, T6N, R20W) South, $\frac{1}{4}$ mile, thence along the South line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, East, $\frac{1}{16}$ mile, to the Northwest corner of the East $\frac{1}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence along the West line of said East $\frac{1}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, South, $\frac{1}{4}$ mile, thence along the South line of said East $\frac{1}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and the South line of the West $\frac{1}{4}$ of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, East, $\frac{1}{4}$ mile, thence along the East



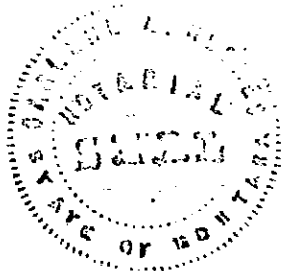
STATE OF MONTANA }
COUNTY OF RAVALLI } ss


This is to certify that I, Jim McKinley, County Commissioner, did post copies of Notice of Public Hearing on petition for creation of planning and zoning district for a portion of land in Ravalli County located in the Willow Creek area, in the following places:


1. On fence post on Willow Creek Road, $\frac{1}{2}$ mile South of the Quentin J. Brown residence.
2. On a telephone pole at the entrance to the Bill M. Holt residence.
3. Directly across the road from the Elmore H. Tintzman residence, on a fence post.

All copies were posted within the proposed zone.

Dated this 16th day of August, 1978




Jim McKinley, Commissioner


Notary Public for the State of
Montana. Residing at Hamilton,
Montana. My Commission expires
April 1, 1980.

11673

21

PETITION FOR THE CREATION OF A PLANNING AND ZONING DISTRICT

Pursuant to Chapter 41, Title 16, R.C.M. (1947) as Amended.

We the undersigned, constituting more than sixty percent (60%) of the freeholders within the area described in Exhibit "A," attached hereto, and by this reference made a part hereof, do hereby petition the Board of County Commissioners of Ravalli County, Montana, for the creation of a planning and zoning district in the area described in Exhibit "A" and shown on the map constituting a part thereof.

We respectfully request that the following provisions be adopted by the Board of County Commissioners of Ravalli County, Montana, to govern the real property described in Exhibit "A."

I. Usage

A. Intent

This district is designed to provide for low density residential development of an open and rural character in areas best suited for such purposes, and provides for environmental protection of those areas that are fragile and cannot support more intensive urbanized activities due to physiographic, hydrologic, biologic, and economic conditions. Planned unit developments and planned variations are encouraged to preserve agricultural land and to enhance environmental amenities found in rural areas.

B. Present Uses:

Present agricultural and residential uses as of the date the district heretofore described is accepted by the County, may be continued, not withstanding anything to the contrary contained hereinafter.

C. Future Uses:

1. No parcel of land in the Willow Creek Zoning District which is less than five (5) acres in size shall be subdivided, sold, conveyed, rented, or leased, unless in addition to the fee title to said lot, the owner or transferee shall also acquire a proportionate share of an contiguous common area in such amount that his fee ownership plus his proportionate share of the common area equals or exceeds fifteen (15) acres.
2. Except for those activities necessary in the continuance of agricultural or home occupations, no property shall be used for any mobile home park, wrecking yard, commercial, or industrial activity.

(14)
(64)

II. Building Requirements And Restrictions:

- A. The Maximum residential density shall be one (1) dwelling unit per five (5) acres.
- B. There shall be no minimum required yard size or maximum building height.
- C. Single family dwellings only shall be permitted.
- D. Mobile homes will be permitted so long as they are attached to a permanent poured concrete foundation.
- E. Modular homes will be permitted, so long as they are attached to a permanent poured concrete foundation.
- F. No tract of land or site within the district shall be leased, purchased, or rented for the purpose of locating or sitting thereon campers, trailers, or other temporary dwelling units.
- G. Temporary living units, including mobile homes and modular homes unattached to a permanent foundation, may be used for a maximum period of eighteen (18) months

while a permanent residence is being constructed.

III. Administration And Enforcement

A. Zoning Committee:

A committee consisting of three persons owning property in the zoned area shall be elected by the owners of property within that zoned area to represent the zoning district in matters of dispute within the district.

The first election of committee members shall elect one member for three years, one member for two years, and one member for one year, and the nominees and terms shall be so designated on the ballot. Each year thereafter, the zoning district shall elect one person to serve for three years.

B. Enforcement:

Any use or feature in violation of these regulations is hereby found and declared to be unlawful and may be enforced as set out in the following subparagraphs:

1. The Ravalli County Commissioners hereby assume responsibility for the enforcement of only those regulations set out in this subparagraph. Such enforcement shall be discretionary with the Ravalli County Commissioners and shall be civil in nature. The cost of such enforcement shall be paid by Ravalli County. The regulations for which Ravalli County assumes responsibility for enforcement are as follows:

2. Any interested person for the zoning committee referred to above, may bring any appropriate legal action for the enforcement of any of the regulations which apply to this planning and zoning district. The cost and attorneys fees shall be borne by a violator of this petition. In the event that a Court determines a party charged with violating this agreement not liable for costs and attorney fees, said expenses shall be borne by the person bringing the legal action (in the case of an individual) and by the members of the zoning district (in the case of a suit instituted by the zoning committee). Neither Ravalli County nor the planning and zoning commission shall be responsible for any of the costs associated with such enforcement proceeding undertaken pursuant to this subparagraph.

IV. Definitions

With regard to provisions of the aforementioned zoning district, the terms in Exhibit "B," shall apply.

V. Severability

If any provision herein or its application to any person or circumstances is held invalid, the remainder of the provisions herein or the application of the provision to the other persons or circumstances is not affected.

Respectfully Submitted

Signatures

Date

Emilee Kelly (a)

4-26-78

I am in full agreement and wish to be on record as one of the petitioners to obtain a zoning district as described below.

I would like to correct my signature as it appeared on The Willow Creek Road Voluntary Zoning Petition. The correct signature follows:

SIGNATURE

DATE

Gayle Lentzman
Emore Lentzman

8/23/78

8/25/78

Joan Chesbro

8/25/78

Lamar Dyer

9/2/78

Randy Campbell

9/2/78

Kay Downey

9/3/78

Anna Downey

9/3/78

Walter A. Dwyer

9/7/78

Respectfully Submitted

| | <u>Signatures</u> | <u>Date</u> |
|------------|-----------------------------------|----------------|
| | <i>Chyle Marie Lightman</i> | <i>3/24/78</i> |
| | <i>Elmore D. Lightman</i> | <i>3/24/78</i> |
| | <i>James B. Chesbro</i> | <i>3/27/78</i> |
| OK | <i>Bruce W. Chesbro</i> | <i>3/27/78</i> |
| OK | <i>Roberta L. Yenne</i> | <i>3/27/78</i> |
| OK | <i>Harry C. Yenne</i> | <i>3/27/78</i> |
| OK | <i>Mignon P. Giviristley</i> | <i>3/28/78</i> |
| OK | <i>Melvin H. Giviristley</i> | <i>3/28/78</i> |
| OK | <i>Marion Gregg</i> | <i>3/28/78</i> |
| OK | <i>Quentin J. Brown</i> | <i>3/28/78</i> |
| OK | <i>Nutella Mae Brown</i> | <i>3/28/78</i> |
| OK | <i>Gary D. Mason</i> | <i>3/28/78</i> |
| OK | <i>Quay A. Mason</i> | <i>3-28-78</i> |
| OK | <i>Lewis A. Hull</i> | <i>3-28-78</i> |
| OK | <i>Fablie W. Hull</i> | <i>3-28-78</i> |
| OK | <i>Vernon J. Jenkins</i> | <i>3-30-78</i> |
| | <i>Lamar Jenkins (Conception)</i> | <i>3-30-78</i> |
| OK | <i>Bill M. Holt</i> | <i>4-2-78</i> |
| OK | <i>Margaret A. Holt</i> | <i>4-2-78</i> |
| | <i>Margaret A. Crawford</i> | <i>4-2-78</i> |
| | <i>W. H. Crawford</i> | <i>3-24-78</i> |
| | <i>Frances C. McKenna</i> | <i>4-3-78</i> |
| OK | <i>W. W. McKenna</i> | <i>4-3-78</i> |
| OK | <i>Theresa P. Rudy</i> | <i>4-3-78</i> |
| 147-512 OK | <i>David H. Cherry</i> | <i>4-5-78</i> |
| OK | <i>Stephen L. Brown</i> | <i>4-7-78</i> |
| OK | <i>James J. Anderson</i> | <i>4-20-78</i> |
| OK | <i>Bob Underwood</i> | <i>4-20-78</i> |

Respectfully Submitted

Signatures

of Richard R. Hodge

Date

4/23/78

Respectfully Submitted

Signatures

at Albert B. Price

Date

4-24-78

Respectfully Submitted

Signatures

Date

OK (Mc) Lester B. Tucker

April 18, 1978

Respectfully Submitted

Signatures

Date

OK *Agustin S. Murgueta*

20 April 1978

OK *Paul D. Hayward*

April 20, 1978

Respectfully Submitted

Signatures

Date

OK *J. H. Scheraga*

Apr 21, 1978

Barbara P. Jolopinski

April 27, 1978

OK *R. H. Hounager*

May 1, 1978

Respectfully Submitted

Signatures

Date

OK Sam B. Woodford
OK Chris E. Woodford

7/13/78
7/13/78

Respectfully Submitted

Signatures

Date

bK Robert L. Ritter
aK Nancy B. Ritter

5/11/78
5/11/78

Respectfully Submitted

Signatures

Date

OK Thelma M. Jenkins
OK Clayton Jenkins

May 2-1978

May 2-1978

Respectfully Submitted

Signatures

Date

OK *Arthur Koch*
Doris A. Koch
OK *Alan Sandy*

7 April 1978
7 April 1978
12 April 1978

Respectfully Submitted

Signatures

Date

OK

James J. Lair

7/2/78

OK

Lillian L. Lair

7/2/78

Respectfully Submitted

Signatures

Jean C. Griggs

Date

5/7/78

Respectfully Submitted

Signatures

Date

Aaron Dorney (M)
Kay Dorney

June 25, 1972
June 25, 1972

Respectfully Submitted

Signatures

Date

Martin H Campbell (Glen)
Randy J Campbell (Jeon)

5/2/78
5/2/78

Ownership Index
Petition Signers

41

1. Quentin J. Brown & Nettie Mae Brown
2. Merlin G. and Randy J. Campbell
3. Bruce W. and Joan B. Chesebro
4. Melvin G. and Mignon P. Christley
5. W.L. and Marjorie A. Crawford
6. Thomas P. Koch, Peter and Doris H. Koch, D.W. and Rosann C. McKenna,
Alan Handy, and Stephen S. Goheen and Gail H. Goheen
7. Marion Gregg
8. Joan C. Griggs
9. Richard R. Hodge
10. Bill M. and Margaret A. Holt
11. Lewis A. and Hollie W. Hull
12. Clayton B. Jenkins and Helen M. Jenkins
13. Lamar and Vernon L. Jenkins
14. John J. and Eunice Kelly
15. Quentin D. and Sue B. Norgaard
16. Carlton Dean Mason, Douglan Gene Mason, and Margaret R. Mason
17. Gary D. and Judy A. Mason
18. Albert B. Price
19. Robert R. and Nancy B. Ritter
20. Ole and Barbara W. Sokoloski and Ken H. Staninger
21. Elmore H. Tintzman and Gayle Marie Tintzman
22. Bob and Lois Underwood, and Harry C. Yenne and Roberta L. Yenne
23. Harry William Hess and Anita Louise Warner
24. Downey (*Alam W. & Kay F.*)
25. Lester ^RTucker
(*James*)
26. John and Susan Lair

6431

EXHIBIT "A"
LEGAL DESCRIPTION

A tract of land in the SW $\frac{1}{4}$ and Section 31, T7N, R19W; in Sections 5, 6, 7, and 8, T6N, R19W; and Sections 1, 2, 3, 11, and 12, T6N, R20W, P.M.M. described as beginning on the North $\frac{1}{4}$ corner of Section 6, T6N, R19W, thence North, $\frac{1}{4}$ mile to the Northeast corner of the E $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{4}$, Section 31, T7N, R19W; thence West $\frac{1}{8}$ mile to the Northwest corner of the E $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{4}$, Section 31, thence South $\frac{1}{4}$ mile to the South line of said Section 31, thence West $\frac{1}{8}$ mile to the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, thence along the East side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, North $\frac{1}{4}$ mile, thence along the North side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, West $\frac{1}{4}$ mile, thence along the West side of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, South $\frac{1}{4}$ mile to the Corner common to Sections 1, 6, 31, and 36, thence along the North line of Section 1, T6N, R20W, West, 1 mile to the Corner common to Sections 1, 2, 35, and 36, thence along the North line of Section 2, T6N, R20W, West, 1 mile to the Corner common to Sections 2, 3, 34, and 35, thence along the North line of Lot 1, Section 3, T6N, R20W, West, $\frac{1}{4}$ mile, thence along the West line of said Lot 1, South, $\frac{1}{4}$ mile, thence along the South line of said Lot 1, East, $\frac{1}{4}$ mile, thence along the South line of Lot 4, Section 2, T6N, R20W, East, $\frac{1}{4}$ mile, thence along the West line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 2, South, $\frac{1}{4}$ mile, thence along the West line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, South, $\frac{1}{4}$ mile, thence along the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, East, $\frac{1}{4}$ mile, thence along the West line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, T6N, R20W, South, $\frac{1}{4}$ mile, thence along the South line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, East, $\frac{1}{4}$ mile, thence along the West line of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, T6N, R20W, South, $\frac{1}{4}$ mile, thence along the South line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$, East, $\frac{1}{4}$ mile, thence along the West line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, (Section 12, T6N, R20W) South, $\frac{1}{4}$ mile, thence along the South line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, East, $\frac{1}{16}$ mile, to the Northwest corner of the East $\frac{1}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, thence along the West line of said East $\frac{1}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, South, $\frac{1}{4}$ mile, thence along the South line of said East $\frac{1}{4}$ of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and the South line of the West $\frac{1}{4}$ of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, East, $\frac{1}{4}$ mile, thence along the East

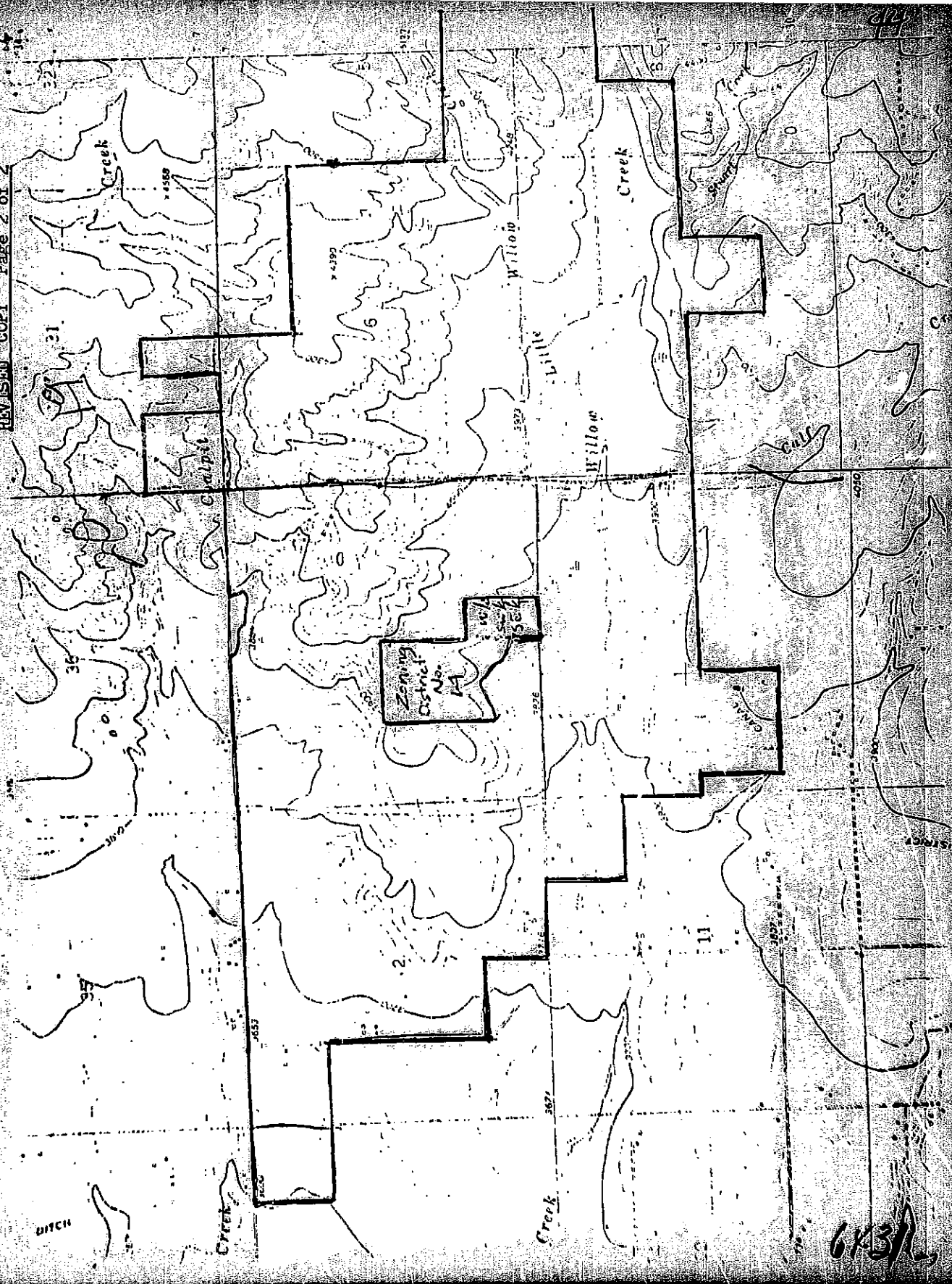
6431

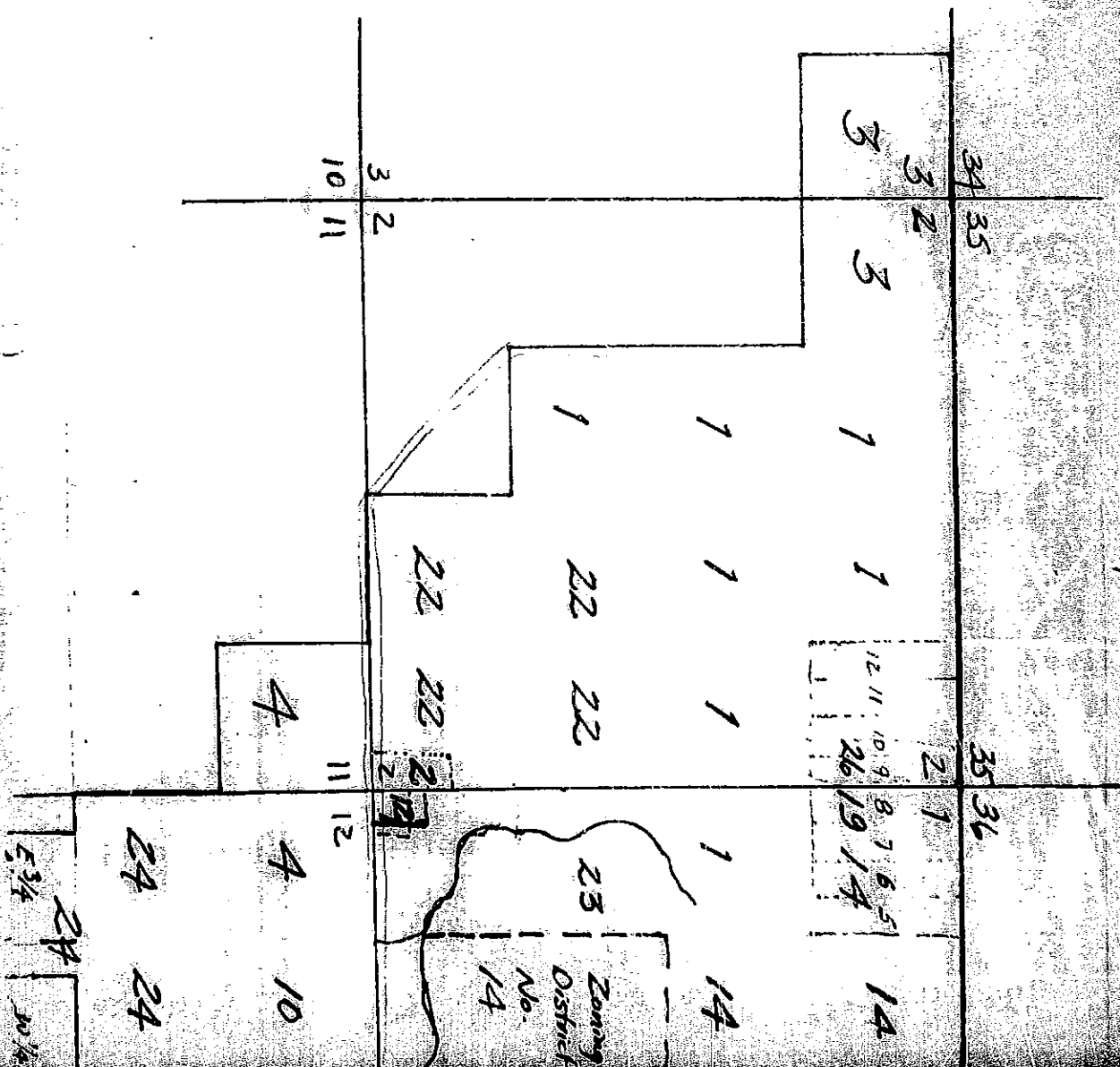
43

line of said West $\frac{1}{4}$ of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, North, $\frac{1}{4}$ mile, thence along the South line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, East, $\frac{3}{16}$ mile, thence along the South line of the NE $\frac{1}{4}$, Section 12, East, $\frac{1}{4}$ mile, thence along the South line of the NW $\frac{1}{4}$, Section 7, T6N, R19W, East, $\frac{1}{4}$ mile, thence along the West line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, South, $\frac{1}{4}$ mile, thence along the South line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, East, $\frac{1}{4}$ mile, thence along the East line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, North, $\frac{1}{4}$ mile, thence along the South line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, East, $\frac{1}{4}$ mile, thence along the South line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T6N, R19W, East, $\frac{1}{4}$ mile, thence along the East line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, North, $\frac{1}{4}$ mile, thence along the South line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T6N, R19W, East, $\frac{1}{4}$ mile, thence along the East line of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, North, $\frac{1}{4}$ mile, thence along the East line of the S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 5, T6N, R19W, North $\frac{1}{4}$ mile, thence along the North line of said S $\frac{1}{2}$ SW $\frac{1}{4}$, West, $\frac{1}{4}$ mile, thence along the East line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, T6N, R19W, North, $\frac{1}{4}$ mile, thence along the East line of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, North, $\frac{1}{4}$ mile, thence along the North line of the S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 6, West, $\frac{1}{4}$ mile, thence along the East line of Lot 3, Section 6, T6N, R19W, North $\frac{1}{4}$ mile to the point of beginning. Excepting therefrom that portion of Lot 2, Section 1 lying North of the BRVI Canal as shown on Certificate of Survey No. 149.

And also excepting *Zoning District No. 14*

6431





46

K 1944

1944

20
31
18
E 1/2 SE SW

31 32
45

32 33
54

14
17
16
W 1/2 L 1/4
E 1/2 L 1/4

20
18

T 6 N

14
17

5
8
9
9

11
17
15
W 1/2 NE SE
E 1/2 NE SE

5
5
5
9

1
6
25

5
5
5
6
6
6

54
89

10
10
12
7

21
21
5
6
6
6

10
10

21
21
7
7
7

7
SW 1/4

Dated: January 18, 1978

47

DEFINITIONS

The following rules of interpretation and definitions adopted by the Ravalli County Planning and Zoning Commission:

1. Rules of Interpretation - The present tense includes the future tense. All words in the plural number include the singular number unless the natural construction of the wording indicates otherwise. The word shall is mandatory. The word may is permissive.
2. Accessory Use - A use naturally or normally incidental, or subordinate to, and devoted exclusively to the main use of the premises.
3. Agriculture - Use of the land for such purposes as farming, dairying, pasturage, grazing, animal and poultry husbandry, silviculture, and removal of forest products, floriculture, and horticulture.
4. Alteration - Change or rearrangement of the structural parts of existing facilities, or enlargement by extending the sides or increasing height or depth, or moving from one location to another.
5. Block - A group of lots, tracts, plots, or parcels within well defined and fixed boundaries.
6. Boarding (rooming or lodging) House - A building or portion thereof where meals and lodging are provided for compensation direct or indirect for five (5) or more persons, not members of the operator's family, by prearrangement for definite periods of time.
7. Building - Any structure built for the occupancy of persons, or the enclosure of animals, chattels or property of any kind and not including advertising sign board, or fences. Any structure separated by a party wall without openings shall be deemed a separate building.
8. Building, Accessory - A detached subordinate building, excluding a guest house, mobile home or trailer, the use of which is customarily incidental to that of the main building, or to the main use of the premises, and located on the same lot with the main building or use.
9. Building Height - The vertical distance from the average elevation of the proposed finished grade at the front of a building to the highest point of a flat roof, the deck line of a mansard roof, or the mean height between the eaves and the ridge for hip, gable and gambrel roof.
10. Building, Main - The principal building for accommodating the primary use to which the premises are devoted.
11. Business or Commerce -
 - a. The purchase, sale, offering for sale, or other transaction involving the handling or disposition of any article, service, or commodity for livelihood, profit, management, or occupancy of an office building, offices, recreational or amusement enterprises.
 - b. The maintenance and use of buildings, offices, structures, or premises by professional and trades or persons rendering services.

Exhibit "B"

12. Certificate of Survey - A drawing of a field survey prepared by a registered land surveyor for the purpose of disclosing facts pertaining to boundary locations and monumentation.
13. Community Residential Facilities
- a. A group, foster, or other home specifically provided as a place of residence for developmentally disabled or handicapped persons who do not require nursing care, or
 - b. A district youth guidance home established pursuant to Section 10-1103, R.C.M. 1947, or
 - c. A halfway house operated in accordance with regulations of the Department of Health and Environmental Sciences for the rehabilitation of alcoholics or drug dependent persons, or
 - d. A licensed adult foster family care home.
14. Comprehensive Plan - A master plan as defined in Section 11-3803, R.C.M. 1947, or any plan such as a plan of land use, zoning, thoroughfares, sanitation, recreation, or other related matter, or any part of such plan.
15. Conforming Use - Any use allowed by the regulations of the district as a permitted use, conditional use, or special exception.
16. Curb Cut - A cut in the curb to allow for the passage of vehicles.
17. Density - The number of dwelling units per acre measured as gross area inclusive of rights-of-way, parks, and open space.
18. District - A section of the County in which regulations governing the area, height, and use of the land and buildings are the same.
19. Drinking Establishment - A building where any amount of alcoholic beverages is sold and consumed on the premises, whether or not such sales are incidental to or accessory to its principal business.
20. Drive-in Restaurant - Any building in which food and drink are prepared for service to customers outside such building, or occupying vehicles outside such building, including self-service restaurants for "take-out" food.
21. Dwelling - A building or portion thereof which is permanently affixed to the premises and used as a primary residence or sleeping place for one or more persons, but not including hotels, motels, tourists courts, resort cabins, clubs, hospitals, tents, railroad cars, trailers, or mobile homes.
22. Dwellings, types of
- a. Dwelling, single-family - a detached building designed for occupancy of one family.
 - b. Dwelling, two-family - a building designed for occupancy by two families living independently of each other.
 - c. Dwelling, multi-family - a building designed for occupancy by three or more families living independently of each other, which may have a common building entrance and hallway to each dwelling unit. The term includes townhouse, rowhouse, apartment buildings, highrise, and garden apartments.
 - d. Dwelling, guest - living quarters within an accessory building which occupy

not more than one-fifth (1/5) of the area of the lot on which it is situated and which is for use exclusively by temporary non-paying guests of the resident family.

23. Family - One or more persons related by blood, adoption, or marriage, exclusive of household servants, living and cooking together as a single housekeeping unit or not more than two persons although not related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit.
24. Feed Lot - An animal enclosure where the land is not grazed or cropped annually, either a secondary or an accessory use to an agricultural operation or a primary use as in commercial feed lot.
25. Fence - A barrier not over six (6) feet high composed of posts connected by boards, rails, panels, or wires, a masonry wall, an ornamental structure, or a privacy screen for the purpose of enclosing a space for separating parcels of land.
26. Floodplain - As defined in the regulations of the Department of Natural Resources and Conservation as provided in Section 89-3503, R.C.M. 1947, and Ravalli County Floodplain Resolution 141.
27. Floor Area - The sum of the areas of the several occupied floors of a building, measured from the exterior walls or from the center line of walls separating buildings, excluding such features as covered walk ways, covered open areas, porches, pipe trenches, exterior terraces, or steps, and chimney roof overhangs.
28. Governing Body - The Board of Commissioners of Ravalli County, Montana.
29. Health Authority - State Department of Health and Environmental Sciences, local health officer, local sanitarian, or other authorized representative.
30. Home Occupation - Any activity involving the sale of goods or services conducted entirely within the dwelling which is clearly incidental and factually subordinate to the use of the dwelling and does not change the character thereof.
31. Immediate Family - Natural, adopted and half-blood relationships only: father, mother, grandmother, grandfather, son, daughter, sister, brother, husband, wife, grandson and granddaughter.
32. Industry - The manufacture, fabrication, processing, reduction, destruction, conversion or wholesaling of any article, substance or commodity or any treatment thereof in such a manner as to change the form, character, or appearance thereof and including storage elevator, truck storage yards, warehouses, wholesale storage, and mining.
33. Jurisdictional Area - The unincorporated area of Ravalli County.
34. Lot - A single tract, plot, or parcel of land no matter how legally described, which occupied or capable of being occupied by one building and accessory uses including such open spaces as are required by these regulations and having frontage on and or access to a public street.
35. Lot Measurements
 - a. Lot Area - the area exclusive of street, highway, alley, road, or other rights-of-way.
 - b. Lot Depth - the mean distance of a line drawn from the front line lot and extending to the rear lot line.
 - c. Lot Frontage - the length of a line measured at the front lot line.
 - d. Lot Width - the length of a line measured at the building setback line and parallel to the front lot line.

36. Lot Types
- a. Corner Lot - a lot located at the intersection of two streets.
 - b. Interior Lot - a lot with frontage on only one street.
 - c. Through Lot - a lot whose front and rear lot lines both abut on a street other than an alley.
37. Lot of Record - A lot which is part of a subdivision recorded in the office of the County Clerk and Recorder, or a lot described by metes and bounds a copy of which has been recorded in the office of the County Clerk and Recorder.
38. Mobile Home - Any dwelling unit larger than two hundred fifty-six (256) square feet in area which is either wholly or substantial part manufactured at an off-site location, any movable or portable dwelling over thirty-two (32) feet in length and over eight (8) feet wide, constructed to be towed on its own chassis and designed without a permanent foundation for year-round occupancy, which includes one (1) or more components that can be retracted for towing purposes and subsequently expanded for additional capacity, or of two (2) or more units separately towable but designed to be joined into one (1) integral unit, as well as a portable dwelling composed of a single unit.
39. Mobile Home Park - A tract of land providing more than one mobile home lots for lease or rent to the general public.
40. Modular Dwelling - A detached one-family dwelling with all of the following design characteristics:
- a. For longterm occupancy and containing sleeping accommodation, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems;
 - b. Transportable on temporary wheels, a flat bed, or other type of trailer;
 - c. Without a permanent frame or under carriage so as to be placed on a permanent foundation necessary for occupancy;
 - d. Factory construction meets or exceeds uniform building codes; and,
 - e. Eligible for longterm amortized mortgage financing of fifteen (15) years or more.
41. Non-conforming Use - A use of land which was a lawful use at the time these regulations were adopted, but which use because of such adoption, or subsequent changes in zoning district boundaries or regulations, does not conform to the regulations of the district in which the use exists.
42. Occasional Sale - One sale of a division of land within any twelve-month period.
43. Open Space - A land or water area devoid of buildings and other physical structures except where accessory to the provision of recreation.
44. Overall Development Plan - The master plan of a subdivision design for a single tract proposed to be subdivided by stages.
45. Parking - Space reserved for the parking of motor vehicles.
46. Person - A firm, association, organization, partnership, trust, company, or corporation as well as an individual.

47. Personal Services - An establishment whose principal activity is to furnish such services to the consuming public as barber and beauty shops, clothes pressing and repair services, laundry and dry cleaning services, photographic services, and mortuaries.
48. Planned Unit Development (PUD) - A land development project consisting of residential clusters, industrial parks, shopping centers, or office building parks, or any combination thereof which includes a planned mixture of land uses built in a prearranged relationship to each other and having open space and community facilities in a common ownership or use.
49. Planning Board - The Ravalli County Planning Board.
50. Private Open Space - A parcel of land or of floor area of a structure designed and intended for the private, passive, or active recreational use of each individual dwelling unit in a PUD.
51. Public and Quasi-public Uses - Any building or use constructed and owned by a governmental, tax-supported, religious, welfare, or charitable organization or institution, such as schools, parks, churches, community buildings, and cemeteries.
52. Public Improvement - Any structure or facility constructed to serve the residents of a subdivision or the general public, such as parks, streets or roads, sidewalks, curbs and gutters, street lighting, water supply, sewage disposal, drainage, and utility systems.
53. Recreational Vehicle Park - A place renting space to park individual camping trailers, pickup campers, motor homes, travel trailers, or automobiles for transient dwelling purposes.
54. Right-of-way - A strip or parcel of land dedicated or acquired for use as a public way.
55. Service Station, Automotive Repairs, and Motor Fuels - Land including the structures thereon used for the sale of gasoline or other motor fuels, oils, lubricants and auto accessories, and washing, lubricating, and minor servicing and repairs.
56. Setback - The shortest distance between the lot line and the foundation wall or main frame of the building. An imaginary line establishing the minimum distance that structures may be located from lot lines and street rights-of-way.
57. State - The State of Montana.
58. Transient Lodging - A building open to transient guests, in which lodging is provided with or without meals, such as a hotel and a motel.
59. Useable Open Space - Space contiguous to the principal buildings or building which is either landscaped or developed and maintained for recreational purposes and excluding that portion of a lot which is utilized for off-street parking or loading space.
60. Used or Occupied - Includes the words intended, designed, or arranged to be used or occupied.
61. Variance - A variance is a relaxation of any provision of these regulations where such variance will not be contrary to the public interest, granted on the basis of physical conditions unique to the property and not the result of actions of the applicant and when a literal enforcement of these regulations would result in unnecessary or undue hardship.

62. Vicinity Sketch - A map at a scale suitable to locate the proposed development, showing the boundary lines of all adjacent properties and streets and other information necessary to determine the general location of the proposed development.
63. Watercourse - Any depression two (2) feet or more below the surrounding land serving to give direction to a current of water at least nine (9) months of the year, having a bed and well-defined banks; provided that, upon order of the Board of Natural Resources, it shall also include any particular depression which would not otherwise be within this definition.
64. Wrecking Yard - A place where junk, waste, discarded, or salvable materials are bought, sold, exchanged, stored, bailed, packed, disassembled, or handled, including automobile wrecking yards, house wrecking, and structural steel materials and equipment, but not including the purchase or storage of used furniture and household equipment, used cars in inoperable condition, or used or salvable materials as part of a manufacturing operation.
65. Yard - Area suitable for recreation, gardens, green belts or household service activities, located on the same lot with a building, and which is open to the sky, free of undue hazard and readily accessible to the occupants of the building.

#6431

236155

#6431

I certify that I received and filed this
Instrument on this 19th
day of Oct, 1928, at 1:25
P.M.
Dale S. Hudson
COUNTY RECORDER
No 7
DAVIS